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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of)
Kelly GRAVELLE) Art Unit 2876
Patent Application No. 10/698,943) Examiner: John J. Park
Confirmation No. 5033) Attorney Docket No.:
Filed November 3, 2003) 114944-00434
For: SELF-SERVICE ELECTRONIC TOLL)
COLLECTION UNIT AND SYSTEM)

REQUEST FOR NEW OFFICE ACTION AND
RESTARTING OF TIME PERIOD FOR RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Action mailed January 14, 2005, has been carefully considered. In response thereto, and pursuant to MPEP § 710.06, the Applicant respectfully submits that the Office Action does not adequately inform the Applicant of the reasons for rejection. Therefore, the Applicant respectfully requests that a new Office Action be prepared and mailed, addressing the issues noted below, and that the time period for response be restarted to begin with the mailing date of any such new Office Action.

The Office Action includes several grounds of rejection under 35 U.S.C. § 103(a) over *Imazuka* (U.S. Patent No. 6,712,267) in view of *Slavin et al* and further in view of *Imazuka et al* (U.S. Patent No. 6,712,267). See, for example, item 3 beginning on page 6 of the Office Action. That is, the second secondary reference is the same as the primary reference.

The rationale given for such a ground of rejection is set forth, e.g., in the first two paragraphs of page 7 of the Office Action. That is, *Imazuka* in view of *Slavin et al* fails to teach certain limitations of the present claims, but *Imazuka* itself is cited to supply the missing teaching.

In other words, the Office Action asserts that *Imazuka* somehow overcomes a deficiency in itself. Since that is not logically possible, the Office Action does not put the Applicant on notice of the reason for the rejection.

Accordingly, the Applicant respectfully requests a new Office Action, clarifying the above matters, with a restarted time period for response.

Respectfully submitted,

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